

AMENDED IN ASSEMBLY MARCH 19, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 774

Introduced by Assembly Member Donnelly

February 21, 2013

An act to amend Section ~~25217.2~~ 25215 of, and to add Sections 25213.7 and 25217.5 to, the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 774, as amended, Donnelly. ~~County~~ County service areas: zone dissolution.

The County Service Area Law authorizes the county board of supervisors, acting as the governing authority of a county service area, to provide for the collection and enforcement of property-related fees and charges in the same manner that the county collects and enforces property-related fees and charges for the property-related services that the county provides. *Existing law allows the board to raise revenues, as specified, whenever the amount of revenue available to the county service area is inadequate to meet the costs of operating and maintaining the services and facilities that the county service area provides.* Existing law authorizes the dissolution of a county service area and allows the board to change the boundaries of a zone, or to dissolve the zone, by following specified procedures.

This bill would require the board, *upon dissolution of a county service area or a specified zone*, to post signs indicating which services and facilities are no longer provided within the zone and require the board to provide adequate maintenance to the signs. This bill would provide that, once the signs are ~~posted and the action is recorded~~, *posted*, the

county and the dissolved zone shall not be held liable for death or injury resulting from the termination of services or facilities. *This bill would also provide that the county, county service area, and zones would not be responsible for a loss or injury resulting from the failure to provide maintenance of services or facilities if the board is unable to raise revenues. This bill would require the board to mail notice to an owner of property within the county service area, or zones that will no longer be able to maintain the services or facilities.*

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 25213.7 is added to the Government Code,
2 to read:

3 25213.7. (a) Notwithstanding any other law, upon dissolution
4 of a county service area providing services or facilities for a public
5 street or divestiture of authority to provide services or facilities
6 for a public street, the board shall post clearly visible signs within
7 the zone for which authorized services, levels of service, or
8 authorized facilities are no longer being provided within the zone.
9 The sign shall indicate what service or facility is no longer being
10 provided within the zone and that the county and the zone are not
11 responsible for any loss or injury resulting from the termination
12 of services or facilities. The board shall provide adequate
13 maintenance to ensure that the signs remain posted within the zone
14 and the message is legible for a period of one year.

15 (b) After the signs are posted pursuant to subdivision (a), the
16 county and the dissolved zone shall not be held liable for death or
17 injury resulting from termination of services or facilities.

18 SEC. 2. Section 25215 of the Government Code is amended to
19 read:

20 25215. (a) Whenever the board determines that the amount
21 of revenue available to a county service area or any of its zones is
22 inadequate to meet the costs of operating and maintaining the
23 services and facilities that the county service area provides, the
24 board may raise revenues pursuant to this article or any other
25 provision of law.

26 (b) If the board is unable to raise revenues, the county, county
27 service area, and the county service area's zones shall not be

1 responsible for a loss or injury resulting from the failure to provide
2 maintenance of services or facilities that the county service area
3 or any of its zones provides. The board shall mail notice to any
4 owner of property within the county service area or any of its zones
5 that it will no longer be able to maintain the services or facilities.

6 SEC. 3. Section 25217.5 is added to the Government Code, to
7 read:

8 25217.5. (a) Upon dissolution of a zone providing services or
9 facilities for a public street, as authorized by Section 25217.2, the
10 board shall post clearly visible signs within the zone for which
11 authorized services, levels of service, or authorized facilities are
12 no longer being provided within the zone. The sign shall indicate
13 what service or facility is no longer being provided within the zone
14 and that the county and the zone are not responsible for any loss
15 or injury resulting from the termination of services or facilities.
16 The board shall provide adequate maintenance to ensure that the
17 signs remain posted within the zone and the message is legible for
18 a period of one year.

19 (b) After the signs are posted pursuant to subdivision (a), the
20 county and the dissolved zone shall not be held liable for death or
21 injury resulting from termination of services or facilities.

22 SECTION 1. ~~Section 25217.2 of the Government Code is~~
23 ~~amended to read:~~

24 ~~25217.2. (a) The board may change the boundaries of a zone~~
25 ~~or dissolve a zone by following the procedures in Sections 25217~~
26 ~~and 25217.1, as appropriate.~~

27 ~~(b) Upon dissolution of a zone, the board shall post clearly visible~~
28 ~~signs within the zone for which authorized services, levels of~~
29 ~~service, or authorized facilities are no longer being provided within~~
30 ~~the zone. The sign shall indicate what service or facility is no~~
31 ~~longer being provided within the zone and that the county and the~~
32 ~~zone are not responsible for any loss or injury resulting from the~~
33 ~~termination of services or facilities. The board shall provide~~
34 ~~adequate maintenance to ensure that the signs remain posted within~~
35 ~~the zone and the message is legible for a period of one year. Once~~
36 ~~the signs are posted and the action is duly recorded, the county~~
37 ~~and the dissolved zone shall not be held liable for death or injury~~
38 ~~resulting from termination of services or facilities.~~

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